

HOUSE JOINT RESOLUTION 7

46TH LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2004

INTRODUCED BY

Ted Hobbs

A JOINT RESOLUTION

PROPOSING AN AMENDMENT TO ARTICLE 11 OF THE CONSTITUTION OF NEW MEXICO TO PROVIDE THAT THE PUBLIC REGULATION COMMISSION CONSIST OF THREE APPOINTED MEMBERS.

BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

Section 1. It is proposed to amend Article 11, Section 1 of the constitution of New Mexico to read:

"A. The "public regulation commission" is created. The commission shall consist of [~~five~~] three members [~~elected from districts provided by law for staggered four-year terms beginning on January 1 of the year following their election; provided that those chosen at the first general election after the adoption of this section shall immediately classify themselves by lot, so that two of them shall hold office for two years and three of them for four years; and further~~

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1 ~~provided that, after serving two terms, members shall be~~
2 ~~ineligible to hold office as a commission member until one full~~
3 ~~term has intervened. No commissioner or candidate for the~~
4 ~~commission]~~ appointed by the governor with the advice and
5 consent of the senate for staggered six-year terms ending on
6 December 31 of the appropriate year. A member shall serve
7 until a successor is appointed and qualified. A member
8 appointed when the senate is not in session shall serve pending
9 senate confirmation. No more than two commissioners shall be
10 members of the same political party. A member shall not accept
11 anything of value from a person or entity whose charges for
12 services to the public are regulated by the commission.

13 B. For the first appointments made after the
14 adoption of this amendment, the governor shall appoint one
15 member to a two-year term, one member to a four-year term and
16 one member to a six-year term, with each term beginning January
17 1, 2005. Two of the initial appointments shall be the
18 individuals elected to the commission at the 2004 general
19 election, who shall not be subject to confirmation by the
20 senate. The terms of office of the members elected at the 2002
21 general election shall expire at midnight on December 31, 2004.

22 C. The governor may remove a commissioner for
23 incompetency, neglect of duty or malfeasance in office."

24 Section 2. The amendment proposed by this resolution
25 shall be submitted to the people for their approval or

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1 rejection at the next general election or at any special
2 election prior to that date that may be called for that
3 purpose.

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